

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY AND SURETY COMPANY as
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY – STATE OF NEW YORK, TDX
CONSTRUCTION CORP. and KOHN PEDERSEN FOX
ASSOCIATES, P.C.,

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW
YORK,

Third-Party Plaintiff,
vs.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

TRATAROS CONSTRUCTION, INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,
vs.

CAROLINA CASUALTY INSURANCE COMPANY, et al.,

Fourth-Party Defendants.

Case No. 07-CV-6915 (DLC)
ECF CASE

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

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PLEASE TAKE NOTICE, that upon the accompanying Declaration
of Mark T. Hall, Esq., dated August 8, 2008, and all of the exhibits
annexed thereto, and the accompanying Memorandum of Law, and upon
all prior pleadings, papers and proceedings heretofore had herein, Fourth
party Defendant Ohio Casualty Insurance Company, (“Ohio”), will move
this Court, Hon Denise L. Cote, U.S.D.J., at the United States
Courthouse, Southern District of New York, 500 Pearl Street, New York,
New York, on the date and time to be determined by the Court for an
Order:

- (i) Granting summary judgment and dismissing the Complaint of the above named Plaintiff as against Ohio, with prejudice; and
- (ii) Awarding costs and such other and further relief as this Court shall deem just and proper.

Dated: Livingston, New Jersey
August 8, 2008

MORGAN MELHUISH ABRUTYN

s/ Mark T. Hall

By: _____
Mark T. Hall, (MH3275)
Attorneys for Fourth-Party
Defendant, Ohio Casualty
Insurance Company

#495640